



Appeal Decision

Site visit made on 18 September 2009

by **Gary Deane** BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
30 November 2009

Appeal Ref: APP/C3430/A/09/2107744

Comber House, Comber Road, Kinver, Stourbridge DY7 6HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr J Leak against the decision of South Staffordshire Council.
- The application Ref 09/00181/FUL, dated 14 March 2009, was refused by notice dated 8 May 2009.
- The development proposed is a 1st floor extension and alterations.

Decision

1. I dismiss the appeal.

Main issues

2. The main issues are:
 - Whether the proposal is inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the surrounding area; and
 - If it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development in the Green Belt

3. Comber House is located within the Green Belt. Planning Policy Guidance 2, *Green Belts*, states that the limited extension of an existing dwelling need not be inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building. Although PPG2 does not define the size threshold of a 'limited extension', the Council's Supplementary Planning Guidance, *Extensions to Dwellings in the Green Belt, and Extensions to Dwellings Formed From Conversions of Rural Buildings in the Green Belt*, (SPG) does so. The SPG indicates that the aggregate floor area of all extensions will be restricted to a ground floor area that is not greater than 30% of the original floor area of the dwelling.
4. The appellant says that the floor area of the existing flat-roofed extension of Comber House was about 102m² and that the floor area of the original house measured some 153m². The Council say that the property has been extended considerably in the past to a total of 98% of the original footprint. The appellant says that the proposal would add a further 21m². This would equate to an overall increase in floor area of about 80% from the original dwelling.

5. In these circumstances, and even using the appellant's figures, the proposal would clearly exceed the tolerances of PPG2 and the Council's SPG. It would represent a disproportionate addition to the size of the original property. Consequently, the proposal would be inappropriate development that is, by definition, harmful to the Green Belt and in conflict with PPG2, Policies GB1 and C4 of the South Staffordshire Local Plan (SSLP) and the Council's SPG. I attach substantial weight to this matter.

The effect of the proposal on the openness of the Green Belt and the character and appearance of the surrounding area

6. There would be a notable increase in the scale and bulk of built development as a result of the proposal. This would lead to a loss of openness to this part of the Green Belt, which, as PPG2 explains, is its most important attribute. The proposal would therefore conflict with PPG2. This is a matter to which I attach significant weight.
7. The additional built form at Comber House would adversely affect the character and appearance of the period property, particularly as much of the existing flat roof would be retained. The pattern of fenestration proposed for the side addition would also relate poorly to the original dwelling given the size, type and position of windows. This would seriously harm the character and appearance of the surrounding area particularly given the elevated position of the property and its prominence when viewed from Comber Road and the car park adjacent to the nursing home.
8. In reaching this conclusion, I have taken into account the proposed use of materials to match the existing property, the subservience of the proposed extension, the distance of the proposed extension from Comber Road, and the effect of trees and other vegetation surrounding the property that would largely shield the proposed extension from more distant public vantage points.
9. The proposal would therefore conflict with Policies C8 and BE26 of the SSLP, which seek to ensure that new development is appropriate in scale, design and appearance both in itself and in relation to adjoining buildings and spaces. I attach considerable additional weight to this matter.

Other Considerations

10. The proposal would make better use of the potential for further accommodation at Comber House and would not adversely affect neighbouring occupiers. I also note the recommendation of Kinver Parish Council that the application be approved. I attach some weight to each of these considerations. However, this does not clearly outweigh the substantial harm caused by the inappropriateness of the development, and the harm it would cause to the openness of the Green Belt, and on the character and appearance of the surrounding area. Therefore, very special circumstances to justify the proposed development do not exist.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR
